

§ 86.1801-01

section. Instructions for installing the labels according to the requirements of this section shall be provided with each label.

(b) The label installation instructions shall indicate the following information.

(1) For light-duty vehicles, light-duty trucks, and heavy-duty engines, the label should be affixed in a readily visible position in the engine compartment and beside (to the extent possible) the existing label which is required under § 86.079-35.

(2) For motorcycles, the label should be affixed in a readily accessible position and beside (to the extent possible) the existing label which is required under § 86.413-78(a)(1).

(3) The instructions shall also indicate that the label should not be affixed to any equipment that can be easily detached from the vehicle.

(c) The label must be constructed such that if installed properly, it cannot be removed without destroying or defacing the label.

(d) The label shall contain the following information lettered in the English language in block letters and numerals, which must be of a color that contrasts with the background of the label:

(1) The label heading: Vehicle Emission Control Information Update;

(2) Full corporate name and trademark of the vehicle manufacturer;

(3) The statement: "This vehicle has been (adjusted) (modified) to improve emission control performance when operated at (high) (low) altitude";

(4) Information on where altitude performance adjustment instructions may be obtained or include the actual altitude performance adjustment instructions;

(5) The new tuneup specifications (if changed from the original label specifications) at the applicable altitude.

Subpart R [Reserved]

40 CFR Ch. I (7-1-14 Edition)

Subpart S—General Compliance Provisions for Control of Air Pollution From New and In-Use Light-Duty Vehicles, Light-Duty Trucks, and Complete Otto-Cycle Heavy-Duty Vehicles

SOURCE: 64 FR 23925, May 4, 1999, unless otherwise noted.

§ 86.1801-01 Applicability.

(a) *Applicability.* Except as otherwise indicated, the provisions of this subpart apply to new 2001 and later model year Otto-cycle and diesel cycle light-duty vehicles, light-duty trucks, medium-duty passenger vehicles, and 2005 and later model year Otto-cycle complete heavy-duty vehicles (2003 or 2004 model year for manufacturers choosing Otto-cycle HDE option 1 or 2, respectively, in § 86.005-1(c)) including multi-fueled, alternative fueled, hybrid electric, and zero emission vehicles. These provisions also apply to 2001 model year and later new incomplete light-duty trucks below 8,500 Gross Vehicle Weight Rating, and to 2001 and later model year Otto-cycle complete heavy-duty vehicles participating in the provisions of the averaging, trading, and banking program under the provisions of § 86.1817-05(n). In cases where a provision applies only to a certain vehicle group based on its model year, vehicle class, motor fuel, engine type, or other distinguishing characteristics, the limited applicability is cited in the appropriate section of this subpart.

(b) *Clean alternative fuel conversions.* The provisions of the subpart apply to clean alternative fuel conversions as defined in 40 CFR 85.502, of all model year light-duty vehicles, light-duty trucks, medium duty passenger vehicles, and complete Otto-cycle heavy-duty vehicles.

(c) *Optional applicability.* (1) A manufacturer may request to certify any Otto-cycle heavy-duty vehicle of 14,000 pounds Gross Vehicle Weight Rating or less in accordance with the light-duty truck provisions through the 2004 model year (2002 model year for manufacturers choosing Otto-cycle HDE option 1 in § 86.005-1(c) or 2003 model year for manufacturers choosing Otto-cycle

HDE option 2 in § 86.005-1(c)). Heavy-duty engine or heavy-duty vehicle provisions of subpart A of this part do not apply to such a vehicle. A 2004 model year heavy-duty vehicle optionally certified as a light-duty truck under this provision must comply with all provisions applicable to MDPVs including exhaust and evaporative emission standards, test procedures, on-board diagnostics, refueling standards, phase-in requirements and fleet average standards under 40 CFR part 85 and this part.

(2) Beginning with the 2001 model year, a manufacturer may request to certify any incomplete Otto-cycle heavy-duty vehicle of 14,000 pounds Gross Vehicle Weight Rating or less in accordance with the provisions for complete heavy-duty vehicles. Heavy-duty engine or heavy-duty vehicle provisions of subpart A of this part do not apply to such a vehicle.

(3) A manufacturer may optionally use the provisions of this subpart in lieu of the provisions of subpart A beginning with the 2000 model year for light-duty vehicles and light-duty trucks. Manufacturers choosing this option must comply with all provisions of this subpart. Manufacturers may elect this provision for either all or a portion of their product line.

(4) Upon preapproval by the Administrator, a manufacturer may optionally certify a clean alternative fuel conversion of a complete heavy-duty vehicle greater than 10,000 pounds Gross Vehicle Weight Rating and of 14,000 pounds Gross Vehicle Weight Rating or less under the heavy-duty engine or heavy-duty vehicle provisions of subpart A of this part. Such preapproval will be granted only upon demonstration that chassis-based certification would be infeasible or unreasonable for the manufacturer to perform.

(5) A manufacturer may optionally certify a clean alternative fuel conversion of a complete heavy-duty vehicle greater than 10,000 pounds Gross Vehicle Weight Rating and of 14,000 pounds Gross Vehicle Weight Rating or less under the heavy-duty engine or heavy-duty vehicle provisions of subpart A of this part without advance approval from the Administrator if the vehicle was originally certified to the heavy-

duty engine or heavy-duty vehicle provisions of subpart A of this part.

(d) *Small volume manufacturers.* Special certification procedures are available for any manufacturer whose projected or actual combined sales in all states and territories of the United States of light-duty vehicles, light-duty trucks, heavy-duty vehicles, and heavy-duty engines in its product line (including all vehicles and engines imported under the provisions of 40 CFR 85.1505 and 85.1509) are fewer than 15,000 units for the model year in which the manufacturer seeks certification. The small volume manufacturer's light-duty vehicle and light-duty truck certification procedures and described in § 86.1838-01.

(e) *National Low Emission Vehicle Program for light-duty vehicles and light light-duty trucks.* A manufacturer may elect to certify 2001-2003 model year light-duty vehicles and light light-duty trucks (LDV/LLDTs) to the provisions of the National Low Emission Vehicle Program contained in subpart R of this part. Subpart R of this part is applicable only to those covered manufacturers as defined under the provisions of subpart R of this part. All provisions of this subpart S are applicable to vehicles certified pursuant to subpart R of this part, except as specifically noted in subpart R of this part.

(f) *"Early" Tier 2 LDVs, LDTs and MDPVs.* Any LDV/LLDT which is certified to Tier 2 FTP exhaust standards prior to the 2004 model year, or any HLDT or MDPV which is certified to the Tier 2 FTP exhaust standards prior to the 2008 model year, to utilize alternate phase-in schedules and/or for purposes of generating and banking Tier 2 NO_x credits, must comply with all the exhaust emission requirements applicable to Tier 2 LDV/LLDTs or HLDT/MDPVs, as applicable, under this subpart.

(g) *Interim non-Tier 2 LDVs, LDTs and MDPVs.* Model year 2004-2008 LDVs, LDTs and MDPVs, that do not comply with the Tier 2 FTP exhaust emission requirements (interim non-Tier 2 LDV/LLDTs and interim non-Tier 2 HLDT/MDPVs) as permitted under the phase-in requirements of § 86.1811-04(k) must comply with all applicable interim

non-Tier 2 exhaust emission requirements contained in this subpart, including FTP exhaust emission requirements for all interim non-Tier 2 LDV/LLDTs and HLD/MDPVs found at § 86.1811-04(l). Additional emission bins and separate fleet average NO_x emission standards and other provisions are provided for interim non-Tier 2 LDV/LLDTs, and interim non-Tier 2 HLD/MDPVs.

(h) *Applicability of provisions of this subpart to LDVs, LDTs, MDPVs and HDVs.* Numerous sections in this subpart provide requirements or procedures applicable to a “vehicle” or “vehicles.” Unless otherwise specified or otherwise determined by the Administrator, the term “vehicle” or “vehicles” in those provisions apply equally to LDVs, LDTs, MDPVs and HDVs.

[64 FR 23925, May 4, 1999, as amended at 65 FR 6851, Feb. 10, 2000; 65 FR 59963, Oct. 6, 2000; 67 FR 72825, Dec. 6, 2002; 76 FR 19873, Apr. 8, 2011]

§ 86.1801-12 Applicability.

(a) *Applicability.* The provisions of this subpart apply to certain types of new vehicles as described in this paragraph (a). Where the provisions apply for a type of vehicle, they apply for vehicles powered by any fuel, unless otherwise specified. In some cases, manufacturers of heavy-duty engines and vehicles can choose whether to meet the requirements of this subpart or the requirements of subpart A of this part; those provisions are therefore considered optional, but only to the extent that manufacturers comply with the other set of requirements. In cases where a provision applies only to a certain vehicle group based on its model year, vehicle class, motor fuel, engine type, or other distinguishing characteristics, the limited applicability is cited in the appropriate section. References in this subpart to 40 CFR part 86 generally apply to Tier 2 and older vehicles, while references to 40 CFR part 1066 generally apply to Tier 3 and newer vehicles; see 40 CFR 86.101 for detailed provisions related to this transition. The provisions of this subpart apply to certain vehicles as follows:

(1) The provisions of this subpart apply for light-duty vehicles and light-duty trucks.

(2) The provisions of this subpart apply for medium-duty passenger vehicles. The provisions of this subpart also apply for other complete heavy-duty vehicles at or below 14,000 pounds GVWR, except as follows:

(i) The provisions of this subpart are optional for diesel-cycle vehicles through model year 2017; however, if you are using the provisions of § 86.1811-17(b)(9) or § 86.1816-18(b)(8) to transition to the Tier 3 exhaust emission standards, the provisions of this subpart are optional for those diesel-cycle vehicles until the start of the Tier 3 phase-in for those vehicles.

(ii) Greenhouse gas emission standards apply as specified in 40 CFR parts 1036 and 1037 instead of the standards specified in this subpart.

(3) The provisions of this subpart generally do not apply to incomplete heavy-duty vehicles or to complete vehicles above 14,000 pounds GVWR (see subpart A of this part and 40 CFR part 1037). However, this subpart applies to such vehicles in the following cases:

(i) Heavy duty vehicles above 14,000 pounds GVWR and all sizes of incomplete heavy-duty vehicles may be optionally certified to the exhaust emission standards in this subpart that apply for heavy-duty vehicles.

(ii) The evaporative emission standards apply for incomplete heavy-duty vehicles at or below 14,000 pounds GVWR. Evaporative emission standards also apply for complete and incomplete heavy-duty vehicles above 14,000 pounds GVWR as specified in 40 CFR 1037.103.

(iii) Refueling emission standards apply for complete heavy-duty vehicles above 14,000 pounds GVWR as specified in 40 CFR 1037.103. All sizes of incomplete heavy-duty vehicles may be optionally certified to the refueling emission standards in this subpart.

(iv) The onboard diagnostic requirements in this subpart apply for incomplete vehicles at or below 14,000 pounds GVWR, but not for any vehicles above 14,000 pounds GVWR.

(4) The provisions of this subpart are optional for diesel-fueled Class 3 heavy-duty vehicles in a given model year if those vehicles are equipped with engines certified to the appropriate standards in § 86.007-11 for which less